

Waukesha County Circuit Court Business Center

Guardian ad Litem (GAL) Guidelines

The following guidelines will be utilized by the Waukesha County Circuit Court Business Center and is meant to provide clarity and assistance to all appointed Guardian ad Litem. The Local Rules will be modified to change the procedure for payment to Guardian ad Litem and copies will be provided upon completion.

1. Upon Court Order or attorney request, that a GAL be appointed a “Court Order for Guardian ad Litem” will be prepared in court by the Clerk and provided to the parties advising them of the expectations and financial requirements. Parties will be advised to pay the initial deposit to the Circuit Court Business Center upon leaving the courtroom; usually each party will be expected to post one-half of the total deposit ordered. Any request to defer payment of the GAL deposit will be handled by the Business Center.
2. The Clerk will then prepare a “Court Order Appointing Guardian ad Litem and Consent to Act”. Once the Order for GAL appointment has been signed by the Court, the Family staff will contact the GAL to sign the “Consent to Act”. After the “Consent to Act” is signed, the Family staff will provide a copy to the Business Center so the correct GAL can be added for billing purposes.
3. If either party does not pay or make payment arrangements as ordered, a reminder notice will be sent and both parties may be required to return to Court for a Payment Hearing before a Court Official. Further violation will result in an aggressive enforcement actions including civil judgment, property liens, tax intercept, wage assignment, income assignment and collection agency.
4. The GAL will provide the parties with a monthly billing statement. When the bill is at or near 75% of the total deposit/additional deposit ordered, the GAL will send a letter requesting payment, and an additional deposit if work is to be continued along with an itemized billing statement and sworn affidavit. After a review for accuracy, a “Court Order for Payment and Request of Additional Deposit for Guardian ad Litem (if applicable) will be prepared by the Business Center for the Judge’s signature. Billing must be submitted at when the bill is at or near 75% of the total/additional deposit ordered.
5. When the GAL’s bill is submitted for final payment, the GAL will send the Attorney Communication Letter requesting final payment along with an itemized billing statement and sworn affidavit after a review for accuracy, a “Court Order for Final Payment of Guardian ad Litem Fees will be prepared by the Business Center for the Judge’s signature. We expect that if the GAL and the Business Center is effectively managing the deposits and process then sufficient funds should be available for payout at the conclusion of the GAL’s services.

6. When it has been determined that all proceeding requiring services of the Guardian ad Litem have concluded; the GAL will send a “Court Order Discharging Guardian ad Litem” with a self-addressed return envelope to the Family Division for Judge’s signature. The Family clerk will provide copies to the file, Business Center and parties.
7. At the conclusion of the GAL’s work on a case and after the final billing statement has been paid, the Business Center will return any remaining funds to the parties according to the proportion paid in.
8. If the parties have not made sufficient payments in order to pay your bill in full, a check will be sent to the GAL for the amount held in trust at the appointed rate and any additional time will be paid out at the rate set by Supreme Court Rule. If the parties are on a payment plan and current, the payments will be applied to the county’s advancement of fees and when that portion is paid in full, any additional payments will be sent to the GAL for any fees above the advanced amount Secondly, if the parties are not on a payment plan, or have defaulted on their payment plan, a judgment will be entered against the party and the amount advanced by the county will be sent to collection. Any additional funds over the \$70 advancement will be the responsible of the attorney to collect. Please note that every enforcement action within our power will be used to secure payment in full.
9. Our efforts to help case participants manage the costs of the variety of services that may be required in various Family and Paternity matters are dependent upon the good faith efforts of the litigants. Our efforts are focused on helping the litigants resolve their differences in a positive manner and in coordinating a solution that serves the best interest of their child. To this end, we recognize there are many financial issues people face and we will work with each party to establish payment arrangements that meet their financial abilities and ensure that their obligations are covered.